Remarks

I. General

Claims 1-20 are pending in the current application, and all of such claims have been rejected by the Examiner in the present Office Action. The outstanding issues raised in the present Office Action are:

- Claims 1-5, 11, 13, 16, and 18-20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Number 6,108,492 issued to Miyachi (hereinafter "*Miyachi*"); and

- Claims 6-10, 12, 14-15, and 17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Miyachi* in view of Transact-SQL User's Guide (hereinafter "*SQL User's Guide*").

In response, Applicants respectfully traverse the outstanding claim rejections, and requests reconsideration and withdrawal thereof in light of the remarks presented herein.

II. Amendments

No claim amendments are made herein. Minor amendments are presented herein to the specification to correct typographical and grammatical errors. No new matter has been added by such amendments to the specification.

Claims 1-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Luk*. In view of the comments below, Applicant respectfully traverses.

III. Rejection of Claims 1-5, 11, 13, 16, and 18-20

Claims 1-5, 11, 13, 16, and 18-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Miyachi*. In view of the comments below, Applicants respectfully traverse this rejection.

A. Prima Facie Case of Obviousness Under § 103(a) Has Not Been Established

To establish a prima facie case of obviousness, three basic criteria must be met. *See* M.P.E.P. § 2143. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference must teach or suggest all the claim limitations. Without conceding any other criteria, Applicants respectfully assert that the rejection does not satisfy the third criteria.

1. Applied Reference Fails to Teach All Claim Limitations

Applicants respectfully submit that *Miyachi* fails to teach or suggest all of the limitations of independent claims 1, 13, and 18. For example, independent claim 1 is directed to a method of reporting existence of a specified condition in a system attribute, and it recites, in part, "receiving a request from a client to notify said client of a condition of an attribute of a system, <u>wherein said request comprises information specifying a query for said system attribute</u>" (emphasis added).

Independent claim 13 is directed to a reporting application for reporting the existence of a specified condition in a system attribute to a client, and it recites, in part, "computer executable software code for receiving from a client a request to notify said client of a condition of an attribute of a system, <u>wherein said request comprises information specifying a query for said system attribute</u>" (emphasis added).

Independent claim 18 is directed to a system for reporting the existence of a specified condition in a system attribute to a client, and it recites, in part, "wherein said reporting application includes computer executable software code for receiving from a client a request to notify said client of a condition of an attribute of a system, <u>said request comprising information specifying a query for said system attribute</u>" (emphasis added).

Applicants respectfully submit that *Miyachi* fails to teach or suggest the above limitations of independent claims 1, 13, and 18. Specifically, *Miyachi* fails to teach or

suggest receiving at a reporting application a request from a client, wherein the request includes information specifying a query for a system attribute.

Miyachi teaches a data processing system that comprises a multi-function peripheral (MFP) and a Host, wherein the MFP periodically stores its status information and the Host periodically receives this status information and stores it in a database in the Host. Col. 3, lines 60-64 (Summary of the Invention). "A technician may select some or all of the information to be provided to the technician on the occurrence of a number of trigger conditions." Col. 3, lines 64-66 (Summary of the Invention). "The technician may set the trigger conditions from any of the reportable status conditions." Col. 3, line 66 - col. 4, line 1 (Summary of the Invention).

Accordingly, *Miyachi* teaches a system in which an MFP maintains certain information regarding its status, and a Host periodically receives and stores such MFP status information. Examples of status information that may be stored is provided in Tables 1 and 2 of *Miyachi*, *see* col. 6, line 5 - col. 8, line 60. A technician may select a number of the MFP status conditions to monitor. Col. 9, lines 40-42. A technician may also select a trigger condition to trigger notification of the technician. Col. 9, lines 55-59.

While *Miyachi* teaches that a Host may store MFP status information and that a technician may select a trigger condition that triggers notification of the technician, *Miyachi* fails to teach or suggest receiving a request from a client (e.g., technician) to notify the client of a condition of an attribute of a system, wherein such request comprises information specifying a query for the system attribute. That is, *Miyachi's* system does not allow a technician to specify a query for a system attribute, but rather just allows a technician to select a trigger condition to be utilized in triggering notification of the technician.

The Examiner relies on col. 9, lines 48-65 of *Miyachi* as teaching the above limitations of claims 1, 13, and 18, which provides:

> In step 425 the technician is allowed to designate a notification
> method. This preferably comprises designating the telephone number of the
> remote monitoring computer 170, but might also include designating a

workstation 150 on the LAN 100 to be notified. Preferably, saving to the removable storage medium may also be selected as the notification method.

Next, the program allows the technician to select a number of trigger conditions to trigger notification (step 430). Preferably, the technician may select any of the status conditions in Table 1 and Table 2 to be used in these trigger conditions. The technician preferably may select particular values at which a trigger condition is to be met. For example, the technician might want to be notified when the fuser counter reaches a particular value. Preferably, the technician may select an increment for notification, such as to be notified every time the fuser counter reaches another thousand counts.

The above teaching of *Miyachi* teaches that a technician may request to be notified of a system attribute's condition (e.g., by selecting a trigger condition), but it does not provide any teaching or suggestion that the technician's request for notification may include information specifying a query for the system attribute. Thus, *Miyachi* fails to teach or suggest "receiving a request from a client to notify said client of a condition of an attribute of a system, wherein said request comprises information specifying a query for said system attribute", as recited by claim 1. *Miyachi* likewise fails to teach or suggest the above limitations of independent claims 13 and 18.

Further, claim 1 recites "querying said system as specified by said request" (emphasis added). Similarly, claim 13 recites "computer executable code for querying said system as specified by said request" (emphasis added). *Miyachi* fails to teach or suggest querying the system as specified by a request from a client. For instance, the client's request for notification does not include information specifying a query, as described above. *Miyachi* teaches that an MFP collects status information and communicates such status information to a Host for storage in a database on the Host. The Host of *Miyachi* does not query the MFP (or other devices) in accordance with a query specified by a request from a client (e.g., the technician). For instance, in the above fuser counter example provided in *Miyachi*, *Miyachi* does not teach that the Host queries the MFP for its fuser counter value as specified by a query included in a request (e.g., from a technician). Rather, the fuser counter happens to be an attribute that is monitored by the MFP and communicated to the Host, along with other attributes identified in Tables 1 and 2 of *Miyachi*. Accordingly, *Miyachi* fails to teach or suggest this limitation of claims 1 and 13.

In view of the above, *Miyachi* fails to render independent claims 1, 13, and 18 obvious under 35 U.S.C. § 103(a) because *Miyachi* fails to teach each and every limitation of such claims. Further, dependent claims 2-5, 11, 16, and 19-20 each depend either directly or indirectly from one of independent claims 1, 13, and 18, and thus inherit all limitations of the respective independent claims from which they depend. It is respectfully submitted that dependent claims 2-5, 11, 16, and 19-20 are allowable not only because of their dependency from their respective independent claims for the reasons discussed above, but also in view of their novel claim features (which both narrow the scope of the particular claims and compel a broader interpretation of the respective base claim from which they depend).

IV. Rejection of Claims 6-10, 12, 14-15, and 17

Claims 6-10, 12, 14-15, and 17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Miyachi* in view of *SQL User's Guide*. Claims 6-10, 12, 14-15, and 17 each depend from one of independent claims 1 and 13, and thus inherit all limitations of the respective independent claims from which they depend. As described above, Applicants submit that *Miyachi* fails to teach each and every limitation of independent claims 1 and 13. Applicants further submit that *SQL User's Guide* fails to correct this deficiency in *Miyachi*. It is respectfully submitted that dependent claims 6-10, 12, 14-15, and 17 are allowable not only because of their dependency from their respective independent claims for the reasons discussed above, but also in view of their novel claim features (which both narrow the scope of the particular claims and compel a broader interpretation of the respective base claim from which they depend).

CONCLUSION

Claims 1-20 are pending in the current application. As shown above, there are important differences between the claims and the applied art. Moreover, a person of ordinary skill in the art considering the applied art would not find these differences obvious. Accordingly, Applicants respectfully assert that claims 1-20 are allowable over the applied art. Therefore, Applicants respectfully request that these claims be passed to issue.

Applicants respectfully request that the Examiner call the below listed attorney if the Examiner believes that such a discussion would be helpful in resolving any remaining problems.

Attached hereto is a marked-up version of the changes made to the specification by the current amendment. The attached page is captioned **"Version with markings to show changes made."**

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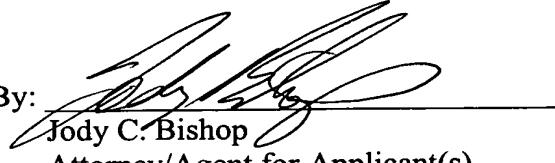
Date of Deposit: March 1, 2002

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE SPECIFICATION

Paragraph beginning at page 12, line 10 has been amended as follows:

The bus 102 is also coupled to input/output (I/O) controller card 105, communications adapter card 106, user interface card 107, and display card 108. The I/O card 105 connects [to] storage devices 109, such as one or more of hard drive, CD drive, floppy disk drive, tape drive, to the computer system. Communications card 106 is adapted to couple the computer system 100 to a network 110, which may be one or more of local (LAN), wide-area (WAN), Ethernet, Intranet, or Internet network. User interface card 107 couples user input devices, such as keyboard 111 and pointing device 112, to the computer system 100. The display card 108 is driven by CPU 101 to control the display on display device 113.

Paragraph beginning at page 13, line 25 has been amended as follows:

Thus, a "view" may be thought of as the naming of the output of a particular query, which may be used thereafter in a subsequent select. For example, suppose the reporting application executes a query that selects all nodes from cluster 1, and names the resulting output or "view" Cluster 1 Nodes. Further suppose that the reporting application executes another query that selects all nodes from cluster 2, and names that resulting "view" Cluster 2 Nodes. The reporting application may then utilize the resulting views in forming further queries, such as select all nodes from Cluster 1 Nodes and Cluster 2 Nodes. Thus, the reporting application may execute queries that contain nested views or nested select statements. Moreover, in a preferred embodiment a client can specify a query to be executed by the reporting application using views. For instance, a client may request to be notified of any change in the cluster [one] 1 nodes and the cluster [two] 2 nodes.

Paragraph beginning at page 14, line 7 has been amended as follows:

As an example of a preferred embodiment, suppose a node has multiple applications (e.g., multiple client applications) executing on it that each desire to be notified of certain conditions in the system. Each client application can engage a reporting application and specify exactly what the client application wants to be notified of regarding system attributes. That is, the client application may specify a condition of a system attribute, such as a change in a particular attribute, the existence of which the client application desires to be notified. In a most preferred embodiment, the client application specifies such a condition by [communication] <u>communicating</u> to the reporting application the query to be executed by the reporting application on the system, which may be communicated as an SQL view. Thereafter, the reporting application can utilize a query to monitor the system for the specified condition and notify the client application when such condition is detected by the reporting application. Thus, the client application itself is not required to issue commands to query the system and interpret the results obtained from such commands, but instead can engage the reporting application to notify the client application of any conditions in which the client application is interested.